



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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March 16, 2005

Thomas Keller
Monroe Neighbors, LLC
448 West Washington Avenue
Madison, WI 53703

SUBJECT: 1802-1864 Monroe Street

Dear Mr. Keller:

The Common Council, at its March 15, 2005 meeting, conditionally approved your application for rezoning from C1/R2 for property located at 1802 – 1864 Monroe Street, including the demolition of the building on this site.

The Plan Commission conditionally approved this matter on January 24, 2005.

To receive final approval of your proposal, the following conditions must be met:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following twenty-two items:

1. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation has been review by Traffic Engineer Shop, finding the location of the building not in the direct path of the microwave signal.
2. The developer shall enter into a subdivision contract and make improvements to the public streets as proposed prior to submittal of final site plans.
3. The applicant shall not improve the right of way as proposed unless encroachment is approved by City of Madison Real Estate Division prior to plans being submitted for approval. Contact City Real Estate if you have questions.
4. The approval of this conditional use or PUD (GDP-SIP) does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and Common Council for the restoration of the public right-of-way including any changes requested by the developer.
5. The applicant shall modify site to accommodate pedestrian island on Monroe Street at Harrison Street.
6. A condition of approval shall be that no residential parking permits will be issued for 1802 and 1864 Monroe Street, this would be consistent with projects. In addition, the applicant shall inform all

owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, the designated inclusionary dwelling units at 1802 and 1864 Monroe Street, shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to City Traffic Engineer/Parking Manager.

7. The applicant shall contact City of Madison Real Estate Division prior to plans being submitted for approval of transfer property.
8. A traffic impact study was requested on behalf of the neighborhood by the Alderperson. The study is technically accurate and complete, and barring issues raised that staff is unaware of; staff consider the traffic impact study complete. From our point of view, the applicant has made some desirable improvements.
9. Consistent with the applicant's traffic impact study, approval of the conditional use is subject to the applicant entering into a subdivision contract with the City and constructing the traffic island treatments on Monroe Street and any modifications required therein.
10. Consistent with discussions with the applicant's traffic consultant, the applicant shall work with the City of Madison Traffic Engineering Division to monitor the increased traffic from the proposed development, and if necessary prepare a plan or plans to mitigate traffic generated by the development into the surrounding neighborhoods, specifically West Lawn & Harrison St. If traffic plans to prevent increased traffic generated by the development are not successful, the City, the applicant and the neighborhood may jointly develop a plan for mitigating traffic which may include recommending physical modifications and neighborhood traffic management devices within the public rights-of-way. The applicant agrees that the costs of such required modifications shall be paid by the applicant, with the cost of any construction not to exceed \$7,500. Any traffic calming or diversion decisions will follow City of Madison Neighborhood Traffic Management Plan.
11. The zoning text shall be modified to demonstrate use of stalls in the Evergreen lot will be available for public use.
12. The developer shall deposit \$20,000 to address neighborhood traffic calming. The money will be used with the City's NTMP program.
13. The developer shall enter in a subdivision contract to construct the traffic island on Monroe Street at Harrison.
14. The developer shall be responsible for any modifications or construction in the city's public right-of-way.
15. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
16. The applicant shall note that Madison General Ordinance 10.08(a) 6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner: unless permitted by the Board of Public Works after the Board receives the recommendation of the City Traffic Engineer. This

condition shall be approved prior to plans being submitted for approval, contact City Traffic Engineering for detail. Traffic Engineering staff will require a formal letter requesting the right to back off the street, (type of vehicles, reasons, hours of operation of the truck, etc.) and the applicant shall provide a 1"=20' scale drawing and a drawing on a 8" by 11" sheet showing parking, parking stalls, pavement markings, type of truck turning and both sides of the street. If recommended by the City Traffic Engineer, staff will facilitate the approval to the Board of Public Works.

17. "Stop" signs and mirrors shall be installed at the driveway approaches behind the property line. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
18. The applicant shall submit with the parking lot plans a letter of operation of the garage doors to the ramps; a detail drawing of the area showing queuing of at least one vehicles 20 ft. or two vehicles of 38 ft. if garage doors are closed at approaches that will not be blocking the public sidewalk.
19. The applicant shall show the dimensions for proposed parking stalls' items A, B, C, D, E, and F, and for ninety-degree angle parking wide stalls and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. (If two (2) feet of overhang are used for a vehicle, it shall be shown on the plan.)
20. The applicant shall design the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, *columns*, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
21. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Street Lighting, Traffic Signals, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
22. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following nineteen items:

23. Developer Agreement required for the proposed improvements to the public storm and sanitary sewer systems.
24. The applicant shall dedicate the necessary right-of-way for public sidewalk if the shift of the public sidewalk is approved. Dedication can be accomplished by recording a certified survey map or by recording a warranty deed administered by City Real Estate Staff. If owner chooses the warranty deed alternative, a registered land surveyor must stamp a map and description of area to be deeded to the City and submit with \$500 fee. All costs responsible by owner/applicant.
25. Sewer fee of \$10,801.80 (payable to MMSD) for the 51 additional treatment plan connections (\$211.80/each).
26. The City shall require a different design for the sanitary were service for this development. Contact Mike Dailey (266-4058) of City Engineering to review details.

27. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
28. The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
29. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
30. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
31. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
32. The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
33. The site plans shall be revised to show the location of all rain gutter down spout discharges.
34. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
35. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
36. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
37. IF the site is greater than one (1) acre the applicant will be required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim

Bertolacini of the WDNR at 275-3201 to discuss this requirement. If the site is less than one acre, this condition will not apply.

38. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
39. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
40. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
41. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following six items:

42. Show dimensions on the site plans. Clearly show the property liens and distances form the building to the property liens. Dimension the site, building, parking stalls, loading areas and drive aisles.
43. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.
44. Meet all applicable State Accessible requirements, including but not limited to:
 - a. Provide a minimum of one accessible stall in the surface parking area and three accessible stalls in the parking garage striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8 feet wide with an 8 foot striped out area adjacent.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the building and/or elevator.
45. Provide four 10 foot x 35 foot loading areas (2 for the residential uses and 2 for the commercial uses) with 14 foot vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. The Plan Commission directed that one commercial loading zone and one residential loading zone be provided if allowed under the Zoning Code. Please contact Zoning staff for more information.
46. Provide 52 bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.

47. Obtain approval fro landscape elements in the right-of-way from City Forestry and possible City real estate for landscaping/improvements in the right-of-way. No landscape elements shall be maintained between the heights of 30 inches and 10 feet above the curb level within the 25-foot vision triangle of a street corner.

Please contact Bill Roberts or Brad Murphy of the Planning Unit staff at 266-4635 if you have questions regarding the following eight items:

48. The Plan Commission granted the inclusionary zoning ordinance waiver subject to 3 inclusionary units being provided and a payment being made into the IZ Special Revenue Fund. The final amount of the payment shall be determined by Hickory Hurie following a final evaluation of the financial feasibility based on the Council approved TIF agreement. The inclusionary dwelling units shall include 2 one-bedroom units on Harrison and West Lawn, and a three-bedroom unit (Unit #206).
49. Prior to the final City sign-off on the PUD documents and plans and recording of the PUD and building demolition, the provisions for transfer of ownership of the City owned Evergreen parking lot to the developer shall be finalized, and approved by the Common Council and the Director of Planning and Development.
50. The final sign-off on the PUD and recording of the PUD is conditioned on the approval of a TIF agreement by the Common Council and execution of the agreement and adequate proof of financing as determined by the Director of Planning and Development.
51. A signed ten year or longer lease between the owner and a grocery store for all of the commercial space in the project shall be presented and verified by the Director of Planning and Development and the City Attorney prior to sign off and recording of the final PUD and issuance of building permits.
52. A signed lease for ten year or longer with a full-service grocery store for all of the commercial space in the project shall be presented and verified by the Director of Planning and Development and the City Attorney as part of the TIF agreement to be approved by the Common Council.
53. Proof of financing capability shall be provided in a form acceptable to the Director of the Department of Planning and Development.
54. The Plan Commission directed that one commercial loading zone and one residential loading zone be provided instead of the two shown on the plan if allowed under the provisions of the Zoning Code.
55. If the project is approved by the Common Council with a level of tax increment financing assistance or other changes in the assumptions that change the profitability conclusions in the applicant's inclusionary zoning waiver evaluation and suggests that the new residential project would be more financially feasible according to the waiver criteria, the Planned Unit Development (PUD) will be brought back to the Plan Commission for further review prior to approval of the PUD. The applicant shall provide final calculations to Hickory Hurie, CDBG Office, for evaluation so that this determination can be made.
56. The Plan Commission directed that the full-service grocery store be provided in the first floor commercial space, excluding Unit 101.

Please contact Al Martin, staff to the Urban Design Commission, at 266-4635 if you have questions regarding the following two items:

- 57. Incorporate design amenities on the lower levels of the Monroe Street/West Lawn Avenue and elevation to provide vendor storage along with the conversion of Residential Unit #101 to a retail/commercial space that relates to and activates the “public space” in the adjacent pedestrian plaza.
- 58. Replace the proposed use of utility brick with standard modular brick.

Please contact Si Widstrand, City Parks Division, at 266-4711 if you have questions regarding the following five items:

- 59. The developer shall pay \$84,461.61 for park dedication and development fees.
- 60. Park fees shall be paid prior to SIP sign-off, or the developer may pay half the fees and provide a letter of credit for the other half.
- 61. There are no features of this project that qualify for IZ park fee reduction credits.
- 62. Calculation of fees in lieu of dedication plus park development fees:

Park dedication = 51 multi-family @ 700 square feet/unit = 35,700 square fee. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required up to a maximum of \$1.65/square foot). Estimated fee is: \$58,905.00

$$\text{Park Development Fees} = (51 @ \$501.11) = \underline{\quad 25,556.62}$$

$$\text{Total Park Fees} = \$94,461.61$$

- 63. Approval of plans for this project does not include any approval to prune, remove, or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact John Lippitt, Madison Fire Department, at 266-4484 if you have questions regarding the following two items:

- 64. Provide fire apparatus access as required by COMM 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure.
 - c. Provide a completed MFD “Fire Apparatus Access and Fire Hydrant Worksheet” with the site plan submittal.
- 65. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact Tim Sobota, Madison Metro, at 266-4904 if you have questions regarding the following five items:

66. The developer shall install and maintain a bench or other seating amenity at the Metro bus stop on the north side of Monroe Street, east of the posted bus stop sign (#2608) that is west of the Spooner Street intersection.
67. The developer shall include this passenger amenity on the final documents filed with their permit application so that Metro Transit may review and approve the design.
68. Metro Transit operates transit service along Monroe Street seven days a week. Metro bus stop #2608 is on the north side of Monroe Street, approximately 80 feet west of Spooner Street.
69. The applicant may select the seating amenity designs given their preference for materials, color, etc. to match building or landscape elements. The applicant may contact Metro Transit to discuss any questions regarding size or exact placement requirements.
70. Metro Transit requests to sign and review final documents submitted for this project.

Approval of the SIP plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing street trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

After the plans have been changed as per the above conditions, please file eight (8) sets of the complete site plans, building elevation and floor plans with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the reviewing departments. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void.

No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been recorded.

Mr. T. Keller

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Within thirty (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Kathy Voeck, Assistant Zoning Administrator, at 266-4551.

Sincerely,

Bill Roberts

Planning and Development

c: Zoning Administrator
City Engineering
Traffic Engineering
Fire Department
UDC
Parks Division
Eppstein Uhen, 333 E. Chicago St., Milwaukee WI 53202
Ald. Ken Golden
Hickory Hurie, CDBG
Don Marx, Real Estate

Parks
Traffic Engineering
City Engineering
UDC – AM
Planning – BR
Fire
Zoning
CDBG - HH